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UNITED NATIONS COMMISSION ON
INTERNATIONAL TRADE LAW
Working Group on the New International
Economic Order
Fifteenth session
New York, 22 June - 2 July 1992

PROVISIONAL AGENDA

1. Election of officers
2. Adoption of the agenda
3. Procurement
4. Other business
5. Adoption of the report

Notes on the provisional agenda

At its nineteenth session, in 1986, the Commission decided to undertake work in the area of procurement as a matter of priority and entrusted that work to the Working Group on the New International Economic Order (A/41/17, para. 243). The Working Group commenced its work on this topic at its tenth session, held from 17 to 25 October 1988, by considering a study of procurement prepared by the Secretariat (A/CN.9/WG.V/WP.22). The Working Group requested the Secretariat to prepare a first draft of a model law on procurement and an accompanying commentary taking into account the discussion and decisions at the session (A/CN.9/315, para. 125).

At its eleventh session (5 to 16 February 1990), the Working Group considered a draft of the model law on procurement and an accompanying commentary prepared by the Secretariat (A/CN.9/WG.V/WP.24 and A/CN.9/WG.V/WP.25). The Working Group requested the Secretariat to revise the text of the model law taking into account the discussion and decisions at the session and agreed that the commentary would not be revised until after the text of the model law had been settled. In addition, the Working

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Group requested the Secretariat to prepare for the twelfth session draft provisions on the review of acts and decisions of, and procedures followed by, the procuring entity (A/CN.9/331, para. 222).

At its twelfth session (8 to 19 October 1990), the Working Group had before it the second draft of the model law (A/CN.9/WG.V/WP.28), and the draft provisions on the review of acts and decisions of, and procedures followed by, the procuring entity (draft articles 36 to 42, contained in A/CN.9/WG.V/WP.27). At that session, the Working Group reviewed the second draft of articles 1 through 27. The Working Group requested the Secretariat to revise articles 1 through 27 to take account of the discussions and decisions concerning those articles at the twelfth session (A/CN.9/343, para. 229). During the adoption of the report of the twelfth session, the Secretariat was further requested to prepare a report for the thirteenth session on conditions and procedures for use of competitive negotiation.

At its thirteenth session (15 to 26 July 1991), the Working Group had before it the second draft of articles 28 to 35 (contained in document A/CN.9/WG.V/WP.30), a redraft of articles 1 to 27 taking into account the deliberations and decisions at the twelfth session (also contained in A/CN.9/WG.V/WP.30), the draft articles on review (articles 36 to 42, in A/CN.9/WG.V/WP.27), as well as a note by the Secretariat on competitive negotiation (A/CN.9/WG.V/WP.31). At that session, the Working Group reviewed articles 28 to 42 and requested the Secretariat to revise those articles to take account of the discussion and decisions at the thirteenth session (A/CN.9/356, para. 196).

At the fourteenth session, the Working Group reviewed articles 1 to 27 as revised following the twelfth session (contained in document A/CN.9/WG.V/WP.30), as well as articles 28 to 41 (article 42 having been deleted at the thirteenth session), revised to reflect the decisions taken at the thirteenth session (document A/CN.9/WG.V/WP.33). Also reviewed by the Working Group was the annex to document A/CN.9/WG.V/WP.33, which contained several new provisions that had been added either as a result of decisions taken at the thirteenth session or at the initiative of the Secretariat, as well as a number of changes to the first portion of the Model Law (articles 1 to 27) that flowed from the Working Group's decisions at the twelfth session with regard to articles 28 to 42. The Working Group also had before it the note on suspension of the procurement proceedings that it had requested at the thirteenth session (document A/CN.9/WG.V/WP.34). The Working Group requested the Secretariat to revise the draft articles of the Model Law to reflect the deliberations and decisions at the fourteenth session. The Working Group also agreed that a commentary giving guidance to legislatures enacting the Model Law should be given priority, without precluding the possibility of preparation of commentaries with other functions at a later stage. It was further agreed that completion of the Working Group's consideration of the Model Law should not be delayed until the preparation by the Secretariat of a draft commentary (A/CN.9/359, paras. 248 and 249).

The Working Group is composed of all States members of the Commission. These are:

Argentina, Austria, Bulgaria, Cameroon, Canada, Chile, China, Costa Rica, Czechoslovakia, Denmark, Ecuador, Egypt, France, Germany,

Hungary, India, Iran (Islamic Republic of), Italy, Japan, Kenya, Mexico, Morocco, Nigeria, Poland, Russian Federation, Saudi Arabia, Singapore, Spain, Sudan, Thailand, Togo, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, and Uruguay.

Item 1. Election of officers

The Working Group, in accordance with its practice at previous sessions, may wish to elect a Chairman and a Rapporteur.

Item 3. Procurement

The fifteenth session will have before it the report of the Secretary-General containing draft articles 1 to 41 of the model law on procurement (contained in document A/CN.9/WG.V/WP.36).

Item 5. Adoption of the report

The Working Group may wish to adopt, at the close of its session, a report for submission to the twenty-sixth session of the Commission.

Meetings

The session of the Working Group will take place at the United Nations Headquarters, New York. Meetings are scheduled from 22 to 26 June, and on 29 and 30 June, as well as on 2 July. No meeting will be scheduled for Wednesday 1 July, in order to allow for the preparation of the draft report of the session. Meeting hours will be from 10.00 to 1.00 and from 3.00 to 6.00, except on Monday, 22 June, when the session will commence at 10.30.